THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 17778 of 2005

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THURSDAY, THE ELEVENTH DAY OF AUGUST
TWO THOUSAND AND FIVE

Between:

N. Pravan Kumar S/o. N. Narasimhulu
R/o. Door No. 29/118, Alimabad Street, Rayachoty, CUddapah District,

..... PETITIONER

AND

1 The Sub-Inspector of Police, Galiveedu Police Station, Galiveedu, Galiveedu Mandal, Cuddapah District,
2 The Mandal Revenue Officer, Galiveedu Galiveedu Mandal, Cuddapah District,

.....RESPONDENTS

The Court, at the stage of admission, made the following:

Oral order:-

Crime No.44 of 2005 on the file of Galiveedu Police Station, Galiveedu, Galiveedu mandal, Kadapa district, has been registered against the petitioner on 29-07-2005 for alleged offences under Sections 406, 409 and 417 IPC on the ground that he was transporting 500 bags of rice meant for 'food for work programmee'. The quantity of rice and the lorry bearing No. AP04-U-5845 have been seized. The petitioner has filed this writ petition for a declaration that the action of the 1st respondent in seizing lorry is without jurisdiction.

This contention is misconceived. Once a crime is registered against the petitioner for offences under the provisions of the Indian Penal Code, inherent is the respondents jurisdiction to seize the material objects concerning the offence. If the petitioner wants interim custody of the seized goods, he should make an application before the jurisdictional Magistrate for such interim custody under the applicable provisions of the Code of Criminal Procedure.

In the circumstances and on the analysis above, the writ petition is dismissed. The petitioner is at liberty to approach the concerned Magistrate for interim custody of the lorry bearing No. AP04-U-5845 seized by the respondents on 29-07-2005. No costs.

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GODA RAGHURAM, J

Dt. 11-08-2005

Pvks/*

Nb:- Furnish c.c. in two days.

B/o pvks/*